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U.S. COURTS

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

KIMBERLEY SMITH, MICHAEL B.)	Case No. CIV 01-0244-S-BLW
HINKLEY, JACQUELINE T. HLADUN,)	
MARILYN J. CRAIG, JEFFERY P.)	AFFIDAVIT OF DOMINIC CASEY
CLEVENGER, and TIMOTHY C.)	
KAUFMANN, individually and on behalf of)	
those similarly situated,)	
)	
Plaintiffs,)	
vs.)	
)	
MICRON ELECTRONICS, INC., a)	
Minnesota corporation,)	
)	
Defendant.)	

STATE OF IDAHO)
) ss.
County of Canyon)

I, Dominic Casey, being first duly sworn, state that the following facts are true and correct and based upon my personal knowledge. If called to testify regarding these facts, I am competent to do so and would testify as follows:

1. I was employed by Micron Electronics, Inc. ("Micron Electronics") in February of 1995. From approximately February of 1995 to September of 1995, I worked for Micron Electronics as a Direct Response Group inside sales representative in Consumer/Small Business sales. From approximately October of 1995 to September of 1997, I worked for Micron Electronics as a Direct Response Group supervisor in Consumer/Small Business sales. From approximately October of 1997 to August of 1998, I worked for Micron Electronics as a supervisor in Notebook sales.

2. From approximately September of 1998 to April of 1999, I worked for MicronPC, Inc. ("MPC") as an Account Development supervisor in Small Business sales. From approximately May of 1999 to November of 1999, I worked for Micron Commercial Computer Systems, Inc. ("MCCS") as a Western Region supervisor in Commercial sales. From approximately December of 1999 to September of 2000, I worked for MPC as a Web Sales supervisor in Small Business sales. From approximately October of 2000 to May of 2001, I worked for MPC as a Senior Sales supervisor in Small Business sales.

3. I no longer work for any company owned or operated by Micron Electronics.

4. As a supervisor, one of my responsibilities was to make sure timekeeping and overtime policies were observed by inside sales representatives. When I was an inside sales representative, I was subject to the same timekeeping and overtime policies. I have read and reviewed the overtime policy in the Team Member Handbook and the overtime and timekeeping policies in the Employment Policy Manual, and the policies are consistent with the practices I employed as supervisor and adhered to as an inside sales representative.

5. As a supervisor in Small Business sales, I understood that MPC was a separate subsidiary with its own compensation plan, commissions, incentives, business hours and

customers. We serviced customers who had less than 500 employees. I supervised between twelve and twenty-two inside sales representatives at a time.

6. As a supervisor in Commercial sales, I understood that MCCS was a separate subsidiary with its own compensation plan, commissions, incentives, business hours and customers. We serviced customers who had 500 or more employees.

7. As a Small Business and Commercial supervisor, I approved overtime that was submitted by inside sales representatives under my supervision. I asked inside sales representatives to come to me for pre-approval before working overtime. If an inside sales representative did not get pre-approval, I would still authorize the overtime because Micron Electronics' policy was that inside sales representatives must be paid for all time worked.

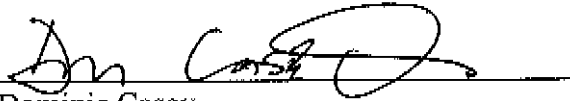
8. It was my practice as a supervisor to review timesheets on a semi-regular basis, approximately 50% of the time. Inside sales representatives had the responsibility of accurately recording hours worked. I assumed the inside sales representatives under my supervision would not intentionally falsify or under-report the number of hours they recorded.

9. During my employment as a supervisor, I never altered an inside sales representative's timesheet for the purpose of reducing overtime hours.


10. As a supervisor I was never aware that any of the inside sales representatives in my department were working off the clock, or not recording all of the time they were working. I never told inside sales representatives in my department to work off the clock. It was my understanding that inside sales representatives were recording all of the time they worked. None of the inside sales representatives in my department ever told me they were working off the clock or not recording all of their time.

11. When I was an inside sales representative, I recorded and was paid for all of the overtime I worked. I never worked off the clock, nor was I ever told or pressured to work off the clock by my supervisors.

DATED this 19th day of August, 2002.


Dominic Casey

SUBSCRIBED AND SWORN to before me this 20th day of August, 2002.


Notary Public for Idaho
Residing in: Boise, Id
My Commission Expires: 08/19/06



CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of August, 2002, a true and correct copy of the foregoing **AFFIDAVIT OF DOMINIC CASEY** was served on the following individuals by the manner indicated:

William H. Thomas
Daniel E. Williams
HUNTLEY, PARK, THOMAS,
BURKETT, OLSEN & WILLIAMS
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☒ By Hand Delivery
☐ By Facsimile
☐ By U.S. Mail
☐ By Overnight Delivery



Kim J Dockstader